

1 The Honorable Richard A. Jones
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10 UNITED STATES DISTRICT COURT
11 WESTERN DISTRICT OF WASHINGTON
12 AT SEATTLE
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15 UNITED STATES OF AMERICA,

16 NO. CR18-062 RAJ

17 Plaintiff

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**SECOND AMENDED
ORDER FOR RESTITUTION**

v.

LAILONNIE LEANNE CABIAO-PAGE,

Defendant.

On November 15, 2019, this Court entered an Order terminating Defendant's participation in the Drug Reentry Alternative Model (DREAM) program, granting Defendant's request to withdraw her previously entered guilty pleas, and granting the government's request to dismiss with prejudice the criminal charges filed in this case.

On November 15, 2019, this Court also accepted the parties' Stipulation for Order Regarding Payment of Restitution and Retention of Jurisdiction for Enforcement, Dkt. No. 67, and entered an Order for Restitution, Dkt. No. 68.

On June 29, 2020, the parties filed a Second Amended Stipulation for Order Regarding Payment of Restitution and Retention of Jurisdiction for Enforcement, notifying the Court that the initial Stipulation and this Court's subsequent Order for Restitution did not correctly identify the victims to whom restitution was owed and each victim's proportionate share of the fraud loss.

1 The Court having reviewed the parties' Second Amended Stipulation for Order
 2 Regarding Payment of Restitution and Retention of Jurisdiction for Enforcement filed on
 3 June 29, 2020, hereby accepts the Second Amended Stipulation as drafted and orders:

4 1. The previously agreed restitution amount of \$83,563.61, less any amounts
 5 paid, shall be due and payable immediately;

6 2. The Defendant shall continue making restitution payments through the
 7 clerk of the court in an amount of no less than \$25 per month, with the minimum
 8 payment subject to revision by order of the Court depending upon the defendant's
 9 financial circumstances, until the restitution obligation is satisfied. Payments will be
 10 made to the *United States District Court, Western District of Washington*, referencing
 11 case No. CR18-062RAJ, and deliver such payments either personally or by First Class
 12 Mail to:

13 United States District Court, Western District of Washington
 14 Attn: Financial Clerk – Lobby Level
 15 700 Stewart Street
 16 Seattle, Washington 98101

17 3. The identified victims entitled to restitution are Fred Meyer, Quality Food
 18 Centers (QFC) and Capital One Bank. Distributions shall be made to Fred Meyer and
 19 QFC in amounts proportionate to each victim's allocated share of the agreed restitution
 20 amount. The allocated shares are 51% Fred Meyer and 49% QFC. Capital One Bank shall
 21 be paid a single one-time payment of \$9.40. Distributions from the Financial Clerk shall
 22 be sent to each victim at the following address:

Fred Meyer ATTN: 04002-31A Civil PO Box 42121 Portland, OR 97242	Capital One Bank Specialty Investigations PO Box 85582 Richmond, VA 23260 *Please reference Capital One Case: Law ID 100501 on restitution checks	QFC 10116 NE 8th Street Bellevue WA 98004 *Please reference Cabiao-Page on the restitution checks
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1 4. Compliance with this obligation shall be enforced as follows:

2 (i) Defendant shall report all restitution payments, specifying the amounts paid
3 and providing proof of payment, in writing to United States Probation, U.S.
4 Probation Office – Western District of Washington, 700 Stewart Street,
5 Suite 11101, Seattle, Washington 98101, and the U.S. Attorney’s Office,
6 Attn: DREAM Executive Review Team, 700 Stewart Street, Suite 5220,
7 Seattle, Washington 98101, on a quarterly basis, that is, within one week
8 following expiration of each 90 day period after dismissal of criminal
9 charges;

10 (ii) Defendant shall report employment and wage information, specifying
11 employer name, address and phone number, and wage/salary amount, in
12 writing to United States Probation and the U.S. Attorney’s Office, within
13 one week after employment commences;

14 (iii) Defendant shall report change of residential address and phone numbers in
15 writing to United States Probation and the U.S. Attorney’s Office within
16 one week of a change;

17 (iv) In the event the U.S. Attorney’s Office believes Defendant has defaulted on
18 her restitution obligation, it shall first advise her in writing and provide an
19 opportunity to cure the default or submit a written explanation to the U.S.
20 Attorney’s Office within one week of receiving the default notice;

21 (v) If, after reviewing defendant’s response, the U.S. Attorney’s Office
22 continues to believe Defendant has defaulted on her restitution obligation, it
23 shall file with the court an *ex parte* application seeking an order to show
24 cause why Defendant should not be held in contempt for failing to comply
25 with the Court’s order regarding restitution.

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5. This Court shall retain jurisdiction over this matter for purpose of enforcing this Order.

IT IS SO ORDERED.

DATED this 29th day of June, 2020.

Richard D. Jones

The Honorable Richard A. Jones
United States District Judge